UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
.09/533,468	03/23/2000	DORON JUSTER	1018.077US1	9906

23460 7590 02/25/2004	EXAMINER
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ART UNIT	PAPER NUMBER
2174	

DATE MAILED: 02/25/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

		Application No.	Applicant(s)
●		09/533,468	JUSTER ET AL.
Office Action Summary		Examiner	Art Unit
		Sindya Narayanaswamy	2174

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

    A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on _20 November 2003_.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _1-16_ is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) _1-16_ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

        1.☐ Certified copies of the priority documents have been received.

        2.☐ Certified copies of the priority documents have been received in Application No. _____.

        3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☐ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

DETAILED ACTION

1.   Claims 1 – 16 are presented for examination.

Claim Rejections - 35 USC § 103

2.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth
>
> in section 102 of this title, if the differences between the subject matter sought to be patented and the prior
>
> art are such that the subject matter as a whole would have been obvious at the time the invention was made
>
> to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be
>
> negatived by the manner in which the invention was made.

3.   Claims 1-4, 6-9, 12-14 and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable

over Applicant's Admitted Prior Art (hereinafter AAPA) in view of Dyson et al, US- 6,269,399.

4.   As per claim 1, AAPA teach the invention substantially as claimed including a computer-

implemented method comprising: sending a first request to create a local queue by an application

of a client from a function of the client to a server and creating the local queue when determined

by the server that the user has permission (Specification, page 1, lines 17- page 2 line 2).

5.   AAPA do not specifically teach the method of sending second requests to a service

having permission to create local queues and the method of the service determined that the 2nd

request originated locally, calling the server by the service to create local queues.

6.   Dyson et al teach the method of sending second requests to a service having permission

to create local queues and when the service determined that the 2nd request originated locally (22,

Fig. 1), calling the server by the service to create local queues (30, Fig. 1) (Fig. 3A). It would

have been obvious to one of ordinary skill in the art to combine the teaching of AAPA and

Dyson et al because Dyson et al's method of creating local queues increases the managerial

duties of the client-side of the system. One of ordinary skill in the art would have been motivated

to do because it allows for greater user and client control.

7.   As per claim 2, AAPA teach the method of using only user-level security (page 2, lines 3-

11).

8.   As per claim 3, Dyson et al teach the method wherein the service, by calling the server

only upon determining that the second request originated locally provides for local-level security

(secure routing) (col. 1, lines 60-67).

9.   As per claim 4, Dyson et al teach the method comprising of a transactional message

service (col. 1, lines 28-34).

10.   As per claim 6, Dyson et al teach the method where the service is running on the client

(22, 30, Fig. 1).

11.   As per claim 7, AAPA does not teach the method wherein the user by default lacks

permission to create local queues. However, it would have obvious to one of ordinary skill in the

art to incorporate the default setting for the user to have no permission to create local queues.

One with ordinary skill in the art would have been motivated to do so in order to improve

security.

12.   As per claim 13, Dyson et al teach the system wherein the client further comprises a

computer-readable medium and a processor, such that at least one of the application program, the

function, and the service is executed by the processor from the medium (20, Fig. 1) (col. 8, lines

34-44).

13.   As per claims 11 and 16, they are the machine-readable claims and computerized system

claims of claim 7, and are rejected under the same reasoning as claims 7.

14.   As per claims 8, 9, 12 and 14 they are the machine-readable claims and computerized

system claims of claims 1-3 and are rejected under the same reasoning as claims 1-3.

15.   Claims 5, 10 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Applicant's Admitted Prior Art (hereinafter AAPA) in view of Dyson et al, US-6,269,399,

further in view of Blount et al – US-6,070,184.

16.   As per claim 5, Blount et al teach the method wherein the function is accessed by the

application via an application programming interface (HTML forms) of the function (col. 16,

lines 44-57). It would have been obvious to one ordinary skill in the art at the time to incorporate

the teachings of AAPA and Dyson et al with the teachings of Blount et al because Blount et al's

method of using an API improves the usability of the method. One of ordinary skill in the art at the time would have been motivated to do so because it would allow for users to navigate the system with ease.

17.   As per claims 10, Dyson et al teach the service comprising of a transactional message service (col. 1, lines 28-34). Dyson et al do not teach the service comprising a transactional message service.

18.   However, Blount et al teach the method wherein the function is accessed by the application via an application programming interface (HTML forms) of the function (col. 16, lines 44-57). It would have been obvious to one ordinary skill in the art at the time to incorporate the teachings of AAPA and Dyson et al with the teachings of Blount et al because Blount et al's method of using an API improves the usability of the method. One of ordinary skill in the art at the time would have been motivated to do so because it would allow for users to navigate the system with ease.

19.   As per claims 15, it is the computerized system claims of claim 10, and is rejected under the same reasoning as claim 10.

Response to Argument

1.   Applicant's arguments for claims 1-16 filed on 11/20/03 have been considered but are not persuasive.

2.   In the remarks, applicant argued in substance that:

(1)   Unlike the prior art of record, Applicant's invention provides for local based

security such that queues are only created on the client on which the service is itself

running and only in response to requests to create queues that originate from within the

client such as from the application program. (ie, the Dyson patent does not extend to the

conditional creation of queues required by the claims).

3.   Examiner respectfully traverses Applicant's remarks:

As to point (1), Applicant has admitted (on both pages 3 and 4) that, the Dyson patent

may suggest creating the queues in the patent since the queues must be created before they can

be used. The Examiner would like to further cite that the concept of creating queues is explicitly

disclosed in the AAPA (Specification, page 1, lines 17-page 2, line 2). The particular instance of

creating a queue on a conditional basis also exists in the Dyson patent. For example, in a specific

circumstance (col. 6, lines 20-31), the first and second queues are instantiated on a need-only

basis in order for communication to occur. Examiner argues that while the space allocation for

the queues existed previously, the creation of the queue itself is a dynamic process, as it is in the

claimed invention.

Conclusion

20.   **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time

policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within TWO

MONTHS of the mailing date of this final action and the advisory action is not mailed until after

the end of the THREE-MONTH shortened statutory period, then the shortened statutory period

will expire on the date the advisory action is mailed, and any extension fee pursuant to 37

CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

however, will the statutory period for reply expire later than SIX MONTHS from the mailing

date of this final action.

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Sindya Narayanaswamy whose telephone number is (703) 305-

8473. The examiner can normally be reached on 8 am to 5 pm, first Fridays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Kristine Kincaid can be reached on (703) 308-0640. The fax phone number for the

organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR

system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR

system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Sindya Narayanaswamy

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